FILE COPY

No. 329

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 19[illegible]

THE UNITED STATES OF AMERICA, Petitioner

vs.

JOHN L. GILLS

BRIEF FOR RESPONDENT IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

INDEX

Subjects

Style and salutation 1

Authorities relied on by respondent 4- 5

Decisions cited by Petitioner *not* in conflict with decision below 5-11

Brief of argument 1-15

Conclusion and prayer 15

INDEX TO AUTHORITIES

21 A & E. Enc. L. 366 ..... 4- 5

Bishop, Stat. Cr. (3rd Ed.) ch. xxii, Secs. 191-4;
ch. xxiii, Secs. 199-B, 220 5

Cochran v. U. S., 157 U. S. 287, 293-4 ..... 3- 4
Cooper v. U. S. 9 Fed. (2) 216, 222 10
7 C. J. 801, Sec. 696 5

Hargreaves v. U. S. 75 Fed. (2) 68 10-11

Kittenbach v. U. S. 202 Fed. 377 7

Lewis v. U. S. 22 Fed. (2) 760 9-10

Morse v. U. S. 174 Fed. 539 ..... 6- 7

Peightel v. U. S. 49 Fed. (2) 230, 237 4

Richardson v. U. S. 181 Fed. 1 ..... 4- 9

Scott v. U. S. 130 Fed. 429 7
State v. Asol (Mont.) 256 Pac. 1071, 1081 4
State v. Davidson (Dak.) 180 N. W. 31 4

Twining v. U. S. 141 Fed. 41 4

12 U. S. C. A. Sec. 592 p. 427 4
U. S. v. Booker, 98 Fed. 291 4
U. S. v. Brewer, 139 U. S. 278 ..... 2- 5
U. S. v. Eqe. 49 Fed. 852, 853 ..... 4- 5
U. S. v. Fish 24 Fed. 585 7
U. S. v. Herrig, 204 Fed. 124 4
U. S. v. McClarty, 191 Fed. 523 4-12
U. S. v. McClarty, 191 Fed. 518 4-12
U. S. v. Noveck 271, U. S. 201, 204 5
U. S. v. Potter, 56 Fed. 97 5
U. S. v. Wiltberger 5 Wheat. 76, 79 2